

JAMES A. GOLDSTEIN, ESQ. BAR NO. 51146
LAW OFFICES OF JAMES A. GOLDSTEIN
15260 Ventura Boulevard, Suite 1730
Sherman Oaks, Ca. 91403
Telephone: (818) 905-9797
Facsimile: (818) 905-6363

2005 APR 18 A 10:42

CLERK, U.S. DIST. COURT
EASTERN DIST. OF CALIF
AT SFO
BY [Signature]
DEPUTY

LODGED

MAR - 3 2005

Attorney for Defendant,
HERBERT MONTOYA SOSA

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

THE UNITED STATES OF AMERICA,)

NO. CRF-02-5446 OWW

Plaintiff,)

**REQUEST FOR
RECONVEYANCE AND ORDER**

vs.)

**HONORABLE OLIVER W. WANGER
UNITED STATES DISTRICT JUDGE**

HERBERT MONTOYA SOSA)

Defendant (s).)

I, JAMES A. GOLDSTEIN, declare as follows:

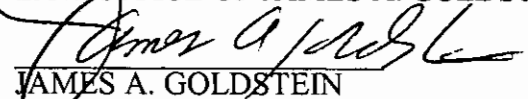
1. Defendant, HERBERT MONTOYA SOSA, was sentenced September 01, 2004 and ordered to surrender to the Board of Prisons on December 06, 2004, as directed by the United States Marshall.
2. At the time of sentencing I was the attorney of record for the Defendant, HERBERT MONTOYA SOSA.
3. On March 26, 2003, Raymond L. Portela, Jr., recorded an executed Deed of Trust (Short Form) for the property commonly known as:
9940 Noble Avenue
Mission Hills, CA. 91345
for the bail purposes in the name of U.S. District Court Clerk for Defendant, HERBERT MONTOYA SOSA, (Attached as Exhibit A).

1 4. On December 06, 2004, Defendant, HERBERT MONTOYA SOSA, self-surrendered to
2 the Board of Prisons, Terminal Island, FCI as directed by the United States Marshall and
3 has been in custody serving his sentence since that time.

4 5. At this time, Request is hereby made that the following property be reconveyed as
5 follows:

6 RAYMOND L. PORTELA, JR., the property commonly known as:
7 9940 Noble Avenue, Mission Hills, CA. 91345.

8
9
10 Dated: 03/01/05

Respectfully submitted,
LAW OFFICE OF JAMES A. GOLDSTEIN

JAMES A. GOLDSTEIN

11
12
13
14
15 **ORDER**

16
17 **IT IS HEREBY ORDERED** that the following properties be reconveyed:
18 RAYMOND L. PORTELA, JR., the property commonly known as:
19 9940 Noble Avenue, Mission Hills, CA. 91345.

20
21 Dated:

4-15-05


UNITED STATES DISTRICT JUDGE

for defendant Herbert Montoya-Sosa
case # Eastern District 02-CR-5446-1

03 0846110

WHEN RECORDED, MAIL TO:

CLERK, U.S. DISTRICT COURT
1130 O Street, Room 5000
Fresno CA 93721

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

INCORPORATING BY REFERENCE CERTAIN PROVISIONS OF A FICTITIOUS DEED OF TRUST OF RECORD

THIS DEED OF TRUST, Made this 03/25/03 between Raymond L. Portela, Jr.

herein called TRUSTOR, whose address is

9540 Noble Avenue Mission Hills CA 91345

and Pacific Corporate and Title Services Inc.

herein called TRUSTEE; and Clerk, U.S. District Court, Eastern District of California at Fresno

herein called BENEFICIARY; WITNESSETH: THAT TRUSTOR IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST

WITH POWER OF SALE THAT PROPERTY DESCRIBED AS FOLLOWS :State of California, County of Los Angeles

Lot 51 of Tract No. 17858, in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 451

Page (s) 18 to 20 inclusive of Maps, in the office of the Los Angeles County Recorder.

Common Address: 9540 Noble Avenue Mission Hills CA 91345

APN# 2660-024-032

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority given to and conferred upon

Beneficiary by paragraph (10) of the provisions incorporated herein by reference to collect and apply such rents, issues and profits, for the

Purpose of Securing: 1. Performance of each agreement of Trustor incorporated by reference or contained herein under bond(s) posted on behalf

of defendant(s) Herbert Montoya-Sosa in Case No Eastern District 02-CR-5446-1

which includes an obligation by said Trustor(s) surety(ies) in the amount of \$ 89,181.54

To protect the security of this Deed of Trust, and with respect to the property above described, Trustor expressly makes each and all of the agreements, and adopts and agrees to perform and be bound by each and all of the terms and provisions set forth in subdivision A of that certain Fictitious Deed of Trust referenced herein, and it is mutually agreed that all of the provisions set forth in subdivision B of that certain Fictitious Deed of Trust recorded in the book and page of Official Records in the office of the county recorder of the county where said property is located, noted below opposite the name of such county, namely:

COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE	COUNTY	BOOK	PAGE
Alameda	1288	556	Kings	858	713	Placer	1028	379	Sierra	38	187
Alpine	3	130-31	Lake	437	110	Plumas	166	1307	Siskiyou	506	762
Amador	133	438	Lassen	192	367	Riverside	3778	347	Solano	1287	621
Butte	1330	513	Los Angeles	T-3878	874	Sacramento	71-10-25 515		Sonoma	2067	427
Calaveras	185	338	Madera	911	136	San Benito	300	405	Stanislaus	1970	56
Colusa	323	391	Marin	1849	122	San Bernardino	6213	763	Sutter	655	583
Contra Costa	4684	1	Mariposa	90	453	San Francisco	A-804	596	Tehama	457	183
Del Norte	101	549	Mendocino	567	99	San Joaquin	2855	283	Trinity	108	595
El Dorado	704	635	Merced	1660	753	San Luis Obispo	1311	137	Tulare	2530	108
Fresno	5052	623	Modoc	191	93	San Mateo	4778	175	Tuolumne	177	160
Glenn	469	76	Mono	69	302	Santa Barbara	2065	881	Ventura	2607	237
Humboldt	801	83	Monterey	357	239	Santa Clara	6626	664	Yolo	769	16
Imperial	1189	701	Napa	704	742	Santa Cruz	1636	607	Yuba	398	593
Inyo	165	672	Nevada	263	94	Shasta	800	633			
Kern	3756	690	Orange	7182	19	San Diego Series		5 Book	1564.	Page 149774	

CR-5 (09/97)

SHORT FORM DEED OF TRUST

Exhibit A

subject to and bind the parties hereto, with respect to the property above described. Said agreements, terms and provisions contained in said subdivisions A and B, (identical in all counties) are preprinted on the reverse page hereof and are by the within reference thereto, incorporated herein and made a part of this Deed of Trust for all purposes as fully as if set forth at length herein, and Beneficiary may charge for a statement regarding the obligation secured hereby, provided the charge thereof does not exceed the maximum allowed by laws.

03 0846110

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth

x Raymond L. Portela, Jr.
Raymond L. Portela, Jr.

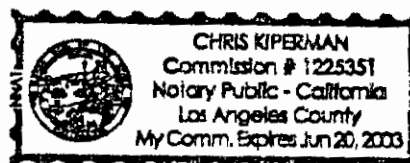
x

State of California
County of Los Angeles

On 3/25/03 before me Chris Kiperman, a notary public, personally appeared
Raymond L. Portela, Jr.

personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted executed the instrument.

Signature



REQUEST FOR FULL CONVEYANCE

To be used only when note has been paid.

To _____, Trustee Dated _____

The undersigned is the legal owner and holder of all indebtedness secured by the within Deed of Trust. All sums secured by said Deed of Trust have been fully paid and satisfied; and you are hereby requested and directed, on payment to you of any sums owing to you under the terms of said Deed of Trust, to cancel all evidences of indebtedness, secured by said Deed of Trust, delivered to you herewith together with the said Deed of Trust, and to reconvey, without warranty, to the parties designated by the terms of said Deed of Trust, the estate now held by you under the same.

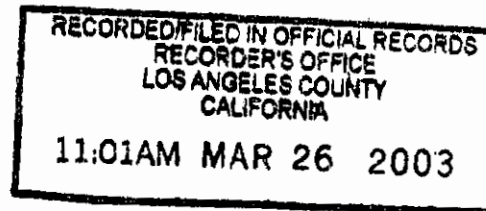
MAIL CONVEYANCE TO:

Do not lose or destroy this Deed of Trust OR THE NOTE which it secures.
Both must be delivered to the Trustee for cancellation before reconveyance will be made.

This page is part of your document - DO NOT DISCARD

01133
COPY

03 0846110



TITLE(S) : _____



FEE	FEE \$17	11
	DAF \$4	
	C-20	2

D.T.T

CODE
20

CODE
19

CODE
9

NOTIFICATION SENT \$4 ©

Assessor's Identification Number (AIN)

To be completed by Examiner OR Title Company in black ink.

Number of Parcels Shown

THIS FORM NOT TO BE DUPLICATED

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party of the within action. My business address: 15260 Ventura Blvd., Suite 1730 Sherman Oaks, CA. 91403-5307.

On **March 01, 2005** I served the foregoing document described as follows: (2) **REQUEST FOR RECONVEYANCE AND ORDER: UNITED STATES V. HERBERT MONTOYA SOSA: NO.: CRF-02-5446 OWW**

on the interested parties in this action by placing [] copy [X] original thereof enclosed in a sealed envelope addressed as follows:

United States District Court
Clerk's Office
Attention: Tim
1130 O Street
Fresno, Ca. 93721

 X

(BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Sherman Oaks, California. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

 (BY PERSONAL SERVICE) I delivered with envelope by hand to the offices of the addressee.
Executed on at Sherman Oaks, California.

 (BY FACSIMILE) by use of facsimile machine telephone number (818)905-6363. I served a copy of the within document on the interested parties in the within document on the interested parties in the within action by transmitting to the numbers above. The facsimile machine I used complied with California Rules of Court, rule 2004 and no error was reported by the machine. Pursuant to California Rules of Court, rule 2006(d), I caused the machine to print a transmission record of the transmission.

 X

(STATE) I declare under penalty of perjury under the law of the state of California that the above is true and correct.

Executed on **03/01/05** at Sherman Oaks, California.


ESMERALDA R. TORRES

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party of the within action. My business address: 15260 Ventura Blvd., Suite 1730 Sherman Oaks, CA. 91403-5307.

On **04-01-05** served the foregoing document described as follows:

REQUEST FOR RECONVEYANCE AND ORDER: UNITED STATES V. HERBERT MONTOYA SOSA: CASE NO.: CRF-02-5446 OWW

on the interested parties in this action by placing [] copy [X] original thereof enclosed in a sealed envelope addressed as follows:

United States District Court
Clerk's Office
Attention: Tim
1130 O Street
Fresno, CA. 93721

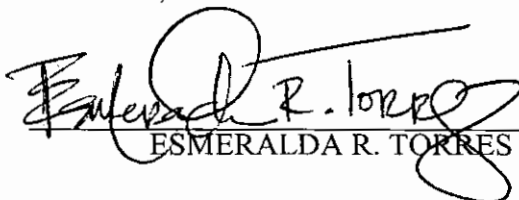
 X (BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Sherman Oaks, California. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

 (BY PERSONAL SERVICE) I delivered with envelope by hand to the offices of the addressee.
Executed on _____ at Sherman Oaks, California.

 (BY FACSIMILE) by use of facsimile machine telephone number (818)905-6363. I served a copy of the within document on the interested parties in the within document on the interested parties in the within action by transmitting to the numbers above. The facsimile machine I used complied with California Rules of Court, rule 2004 and no error was reported by the machine. Pursuant to California Rules of Court, rule 2006(d), I caused the machine to print a transmission record of the transmission.

 X (STATE) I declare under penalty of perjury under the law of the state of California that the above is true and correct.

Executed on **04-01-05** at Sherman Oaks, California.



ESMERALDA R. TORRES